

JOURNAL OF THE FLORIDA SENATE

Monday, May 14, 1973

The Senate was called to order by the President at 2:00 p.m.
A quorum present—32:

Mr. President	Graham	Plante	Sykes
Barron	Gruber	Poston	Trask
Brantley	Johnston	Saunders	Vogt
Childers	Lane (23rd)	Saylor	Ware
de la Parte	Lewis	Scarborough	Williams
Gallen	McClain	Sims	Wilson
Gillespie	Myers	Smathers	Winn
Glisson	Peterson	Stolzenburg	Zinkil

Senators Lane (31st) and Henderson were recorded present at 2:01 p.m., Senators Johnson and Weber at 2:02 p.m., Senator Deeb at 2:06 p.m. and Senator Pettigrew at 2:10 p.m.

Excused: Senator Firestone.

Prayer by the Senate Chaplain, Dr. R. M. McMillian:

Almighty God, we humans continue to reach out beyond ourselves and into space, curiously probing the world around and beyond. We thank you for the spirit of adventure and research yet we recognize that there are underlying longings of the human heart.

To those who have lived before us we would appear as a miracle working generation and yet our God we have failed in the miracle of miracles which is to live with ourselves and each other in a shrinking world.

Please help us our God for our technical brilliance belies our abilities. Our machines do better than we ourselves. They are more honest, they work better and obeying their makers accomplish great things.

We would recommit ourselves to thee the creator of all for unlike our machines we are in the likeness of your spirit. May the unity of our spirits with thine through our faith grant us peace of conscience and of mind and peace with others.

So then our God shall we really be great and walk the earth in unity with each other and thyself. So then shall earth-walking transcend moon-walking or any feats of science.

We can do this our God through Christ our Lord. Amen.

The Senate pledged allegiance to the flag of the United States of America.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends that the following bills be placed on Special Order for Monday, May 14, 1973:

SB 380	SB 553	SB 1187	SB 679
CS for HB 979	SB 606	SB 975	SB 680
SB 484	SB 608	SB 640	CS for HB 349
SB 798	SB 609	SB 529	HB 826
SB 675	SB 901	SB 678	

*Respectfully submitted,
Dempsey J. Barron, Chairman*

The Committee on Commerce recommends the following pass: SB 933, SB 946

The Committee on Consumer Affairs recommends the following pass:

SB 1055	CS for HB 979 with 3 amend-
SB 1057	ments
SB 1192 with 1 amendment	HB 1392 with 1 amendment
CS for HB 428 with 2 amend-	
ments	

The Committee on Health and Rehabilitative Services recommends the following pass:

SB 775	SB 253 with 5 amendments	SB 855
--------	--------------------------	--------

The Committee on Criminal Justice recommends the following pass: SB 660 with 2 amendments

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Consumer Affairs recommends the following pass: SB 1197

The Committee on Criminal Justice recommends the following pass: SB 1261 with 2 amendments

The bills contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Commerce recommends a Committee Substitute for the following: SB 970 as recommended by the Committee on Transportation

The Committee on Commerce recommends a Committee Substitute for the following: SB 1074

The Committee on Commerce recommends a Committee Substitute for the following: SB 1047

The Committee on Commerce recommends a Committee Substitute for the following: SB 637

The Committee on Criminal Justice recommends a Committee Substitute for the following: SB 865

The Committee on Governmental Operations recommends a Committee Substitute for the following: SB 939

The Committee on Governmental Operations recommends a Committee Substitute for the following: SB 1187

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following:

SB 1324	SB 833	SB 645
---------	--------	--------

The Committee on Governmental Operations recommends a Committee Substitute for the following: SB 561

The bills with Committee Substitutes attached contained in the foregoing reports were placed on the calendar.

The Committee on Governmental Operations recommends a Committee Substitute for the following: SB 250

The bill with Committee Substitute attached was referred to the Committee on Ways and Means.

The Committee on Commerce recommends the following not pass: HB 887

The bill was laid on the table.

The Select Subcommittee of the Natural Resources and Conservation Committee recommends SB 593 unfavorably to the standing committee.

The following report by the Committee on Transportation on needs and funding of the Department of Transportation was presented by Senator Poston:

Florida's rapid growth and development and increasing travel demands have created pressures for additional and improved transportation facilities at an unprecedented level.

In 1970, the total population of Florida was approximately 6,789,000 persons. Population forecasts prepared by the Florida

Bureau of the Budget indicate that this figure can be expected to reach 10,338,000 by 1990. A large majority of these persons will choose to live in urbanized areas. In 1990 it is expected that 84 percent of the population will live in 23 major urbanized areas, each of which is expected to have a population of 50,000 persons or more. In addition, at that time from 45 to 55 million out-of-state visitors are expected annually.

Obviously, there is a vital need for proper planning and the accompanying funding to implement such planning if adequate transportation is to be provided.

At the present level of funding, transportation needs are approximately double the revenues that are available.

A recently completed study provided the following information concerning the long range needs of the department:

1. The reported construction and right-of-way needs for the five-year period of 1972-77 for arterial and collector highways are \$3,516,430,000. Anticipated funding, assuming the present level is unchanged, is \$1,240,270,000 or a deficit of \$2,276,160,000. Of this anticipated funding, the five-year work program calls for an expenditure of \$842,772,000 for the state primary system, and \$397,498,000 for the state secondary system.

2. For the same five-year period, the estimated capital needs for urban systems and intercity public transit amount to \$764,371,000 with an estimated funding of \$201,121,000. This leaves unfilled needs in the amount of \$563,250,000. The funds expended for urban systems and intercity transit would be used for improvements of existing bus systems, construction of fringe parking lots and garages, exclusive busways, bus terminals and shelters, and mass transit corridor systems.

3. The necessary projected funds required for aviation purposes for 1972-77 amount to \$181,414,000, with projected revenues to \$100,578,000. This figure does not include the estimated cost of the South Florida jetport which is projected to be between 500 million and 1 billion dollars.

In addition to the above construction and right-of-way needs, several areas of critical need also exist.

Currently, 30,000 lane-miles of highways need resurfacing. A lane-mile is one travel lane for a one-mile distance. The condition of this road mileage is such that maintenance costs are very high, and surface irregularity creates a hazard to vehicular traffic. There is also the possibility of excessive rainfall eroding the grade and subgrade so that most of the investment in the roadway is lost. At the present time, there is a backlog of projects requiring resurfacing totaling 60 million dollars. In addition, in order to keep abreast of currently developing problems and to prevent another backlog, an annual continuing need of approximately 30 million dollars will be required.

In a closely related area, the repair or replacement of 345 critically deficient highway bridges on primary highways

throughout the state is a vital need. The bridges in this category can be maintained only at very excessive cost. They are subject to restrictive loading, and there is a continuing risk of failure of the structures. There is a backlog of deficient bridge needs of some 38.9 million dollars, and to prevent additional backlog annual expenditure of 12.5 million dollars is needed.

Bridge needs for 83 bridges on the secondary system total 1.7 million dollars.

To provide for safer and more efficient operations at highway-railroad grade crossings, the department currently has an ongoing program of installation of automatic protection devices at grade crossings, construction of grade separations, and the closing of some minor grade crossings. The department's goal is to reduce rail-highway grade crossing accidents from approximately 400 per year to under 200 per year and to reduce the number of fatalities by 60 percent.

Cost of this rail-highway crossing program is anticipated to be 10 million per year for the first five years and 5 million per year for the next five years.

The items listed above represent needs of the department for the period 1972-77. The net unfilled needs for this period, that cannot be met by any existing sources of revenues, amount to \$3,270,546,000. The department is seeking to provide transportation service in anticipation of developing needs rather than in response to developed crises. Historically, transportation service follows the development of the demand for service. To change this pattern, a marked increase in the provision of service is required, and this new level of service will require substantial funding in order to provide the needed transportation systems.

Currently, the department receives its operating revenues from the net proceeds of the 4-cent gas tax and from federal highway allocations for interstate, primary, and secondary projects. There are six authorized diversions to the 4-cent tax resulting in a loss to the department of approximately \$13,300,000 in 1972-73. See Table I.

In addition, revenues from the 5th and 6th cent gas tax after bond requirements are met are available to the counties for either construction on the secondary system or for the purchase of primary or secondary rights-of-way. See Table II for estimates of the funds available to the counties for 1972-77.

Table III lists the estimate of transportation-related revenue that is diverted to other purposes, resulting to a substantial loss of revenue to the D.O.T.

The unfilled needs for 1972-77 average \$654,109,200 per year. Additional methods of funding must be found if the department is to realize its goal of providing safe and efficient transportation facilities.

Table IV gives certain possible sources of additional funding.

FLORIDA'S TRANSPORTATION NEEDS AND FUNDING 1972-77

A. NEEDS

1. LONG RANGE TRANSPORTATION NEEDS

	Highways (Arterial & Collector)	Urban & Intercity Mass Transit	Aviation System
a) Reported Needs	\$ 3,516,430,000	\$ 764,371,000	\$ 181,414,000
b) Anticipated Funding*	1,240,270,000	201,121,000	100,578,000
c) Unfilled Needs	\$ 2,276,160,000	\$ 563,250,000	\$ 80,836,000
*Funds available in existing five-year work program (1972-77) for primary and secondary projects			\$2,276,160,000 563,250,000 80,836,000
UNFILLED LONG RANGE TRANSPORTATION NEEDS			\$2,920,246,000

2. CRITICAL RECONSTRUCTION NEEDS

a) Bridge Repair and Replacement	b) Highway Resurfacing Program	
Backlog	Backlog	\$ 59,600,000
Continuing Maintenance	Continuing Maintenance	139,400,000
(1972-77)	(1972-77)	\$199,000,000
\$101,300,000		\$ 101,300,000
		199,000,000
UNFILLED CRITICAL CONSTRUCTION NEEDS		\$ 300,300,000

3. HIGHWAY-RAILROAD GRADE CROSSINGS NEEDS

a) Installation Automatic Protection Devices	\$2,920,246,000
Construction of Grade Separations	300,300,000
5 years @ 10 million/year (1972-77 = \$50,000,000	50,000,000
TOTAL UNFILLED NEEDS	\$3,270,546,000
AVERAGE PER YEAR 1972-77	\$ 654,109,200

TABLE I

B. EXISTING REVENUE SOURCES

1. FOUR-CENT GAS TAX TO D.O.T.	1972-73	1973-74	1974-75	1975-76	1976-77
<i>Gross Four Cents:</i>					
<i>Less Authorized Diversions</i>	\$174,400,000	\$187,900,000	\$201,880,000	\$216,620,000	\$232,180,000
1. Dealer's Collection Fees (F.S. 206.43)	1,133,600	1,221,350	1,312,220	1,408,030	1,509,170
2. Fishermen & Farmers Refunds (F.S. 206.64)	250,000	250,000	250,000	250,000	250,000
3. Service Station Refunds (F.S. 206.50)	1,813,760	1,954,160	2,099,552	2,252,848	2,414,672
4. Municipal Refunds (F.S. 206.625)	1,360,320	1,465,620	1,574,664	1,689,636	1,811,004
5. Noxious Aquatic Weed Control (DNR) (F.S. 213.11)	2,080,300	1,360,600	1,231,000	1,089,800	935,900
6. General Revenue Service Charge (F.S. 215.20 & 215.22)	6,720,471	7,265,931	7,816,503	8,397,187	9,010,370
TOTAL DIVERSIONS	\$ 13,358,451	\$ 13,517,661	\$ 14,283,939	\$ 15,087,501	\$ 15,931,116
NET FOUR-CENT GAS TAX	\$161,041,549	\$174,382,339	\$187,596,061	\$201,532,499	\$216,248,884

TABLE II

2. NET 5TH & 6TH CENT GAS TAX TO COUNTIES	\$ 56,000,000	\$ 57,000,000	\$ 62,000,000	\$ 65,000,000	\$ 71,000,000
(Amount available to counties, after complying with outstanding bond requirements, for either secondary system construction or the acquisition of primary and secondary rights-of-way)					
a) Estimated Primary and Secondary Rights-of-Way Needs	17,900,000	16,033,000	17,588,000	18,921,000	20,621,000
	*\$ 38,100,000	\$ 40,967,000	\$ 44,412,000	\$ 46,079,000	\$ 50,379,000

*A portion of these funds would be utilized by the counties for secondary projects not necessarily included in the reported needs shown in A-1 (Long Range Transportation Needs for arterial and collector highways.) Hence, that portion thus expended could not be considered as revenue available to help meet these needs.

TABLE III

C. TRANSPORTATION RELATED REVENUE DIVERTED TO OTHER PURPOSES

1. PROJECTED REVENUE	1972-73	1973-74	1974-75	1975-76	1976-77
a) Motor Vehicle License Fees (F.S. 320.06)	\$145,999,000	\$160,878,000	\$178,092,000	\$197,148,000	\$218,243,000
b) Title and Lien Fees (F.S. 319.32)	6,815,000	7,019,000	7,230,000	7,447,000	7,670,000
c) Driver Exams & Re-Exam Fees (F.S. 322.12)	6,004,000	5,652,000	6,082,000	6,544,000	7,041,000
d) Driver License Fees (F.S. 322.21)	7,639,000	10,939,000	11,912,000	12,972,000	14,126,000
e) Fuel Dealers License Tax	59,000	58,500	58,000	57,500	57,000
f) Sales & Use Taxes Automotive Group (F.S. 212.06 & 212.07)	208,900,000	223,400,000	231,700,000	246,600,000	262,600,000
TOTAL REVENUE COLLECTIONS	\$434,357,000	\$466,388,000	\$493,018,000	\$528,211,000	\$566,680,000
2. PROJECTED DISTRIBUTION					
a) District Capital Outlay & Debt Service School Trust Fund	\$ 32,024,000	\$ 50,494,000	\$ 52,347,000	\$ 54,268,000	\$ 56,260,000
b) Aid to Cities and Counties	10,874,000	13,592,000	16,990,000	21,238,000	26,548,000
c) To General Revenue Unallocated	391,459,000	402,302,000	423,681,000	452,705,000	483,872,000
	\$434,357,000	\$466,388,000	\$493,018,000	\$528,211,000	\$566,680,000

TABLE IV

**D. POSSIBLE SOURCES OF ADDITIONAL REVENUE TO MEET UNFILLED NEEDS AVERAGING \$654,109,200
PER YEAR FOR 1972-77**

	1972-73	1973-74	1974-75	1975-76	1976-77
1. Additional One-Cent Gas Tax					
Will Generate	\$ 44,000,000	\$ 46,700,000	\$ 49,400,000	\$ 52,200,000	\$ 55,100,000
2. Allocate Transportation-Related Revenue Currently Earmarked for General Revenue Fund to State Road Trust Fund	391,459,000	402,302,000	423,681,000	452,705,000	483,872,000
3. Reduce Amount of Diversions to 4-Cent Gas Tax	13,358,000	13,517,000	14,284,000	15,087,000	15,931,000
4. Appropriation from General Fund					

The following summaries present the transportation system needs for the period 1972-77 for the 23 large urban areas of Florida that are expected to have population of 50,000 or more persons by 1990. Also included are certain high priority short range transportation system projects for each area. The table of needs for each area does not imply specific financial commitment.

BREVARD COUNTY

The Brevard County 1970 population was 196,000 persons, and the 1990 projection is 298,000 persons.

**TRANSPORTATION SYSTEM NEEDS
Brevard County Area**

	1972- 1977
Arterial and Collector	
Highway System ¹	*117,696 87,995
Public Transit System ²	230 1,321
TOTAL	117,926 89,316

*Thousands of dollars

DAYTONA BEACH-HALIFAX

The Daytona Beach-Halifax population is predicted to expand from 102,000 persons in 1970 to 190,000 persons through 1990. Present population density of about 1,700 persons per square mile is expected to decrease to 1,200.

**TRANSPORTATION SYSTEM NEEDS
Daytona Beach-Halifax Urban Area**

	1972- 1977
Arterial and Collector	
Highway System ¹	106,214 60,493
Public Transit System ²	286 1,647
TOTAL	106,500 62,140

FORT LAUDERDALE

In 1970, the Fort Lauderdale urbanized area had a population of 614,000 persons, which is projected to increase to 1,015,000 persons by 1990. The 1970 population density will increase from over 3,260 persons per square mile to over 4,900 by 1990.

**TRANSPORTATION SYSTEM NEEDS
Fort Lauderdale Urban Area**

	1972- 1977
Arterial and Collector	
Highway System ¹	136,943 353,534
Public Transit System ²	11,276 20,089
TOTAL	148,219 373,623

*Thousands of dollars

FORT MYERS-CAPE CORAL

The Fort Myers-Cape Coral urbanized area had a population of 64,000 persons in 1970, which by 1990 is projected to 125,000.

**TRANSPORTATION SYSTEM NEEDS
Fort Myers-Cape Coral Urban Needs**

	1972- 1977
Arterial and Collector	
Highway System ¹	49,255 24,659
Public Transit System ²	352 79
TOTAL	49,607 24,738

FORT PIERCE-VERO BEACH

The Fort Pierce-Vero Beach urbanized area had a combined population of 54,000 persons in 1970, with projected population of 105,000 persons by 1990.

**TRANSPORTATION SYSTEM NEEDS
Fort Pierce-Vero Beach Urban Area**

	1972- 1977
Arterial and Collector	
Highway System ¹	24,794 21,338
Public Transit System ²	52 309
TOTAL	24,846 21,647

*Thousands of dollars

FORT WALTON BEACH

The Fort Walton Beach urbanized area had a 1970 population of 47,000 persons and has a 1990 projected population of 65,000 persons.

**TRANSPORTATION SYSTEM NEEDS
Fort Walton Beach Urban Area**

	1972- 1977
Arterial and Collector	
Highway System ¹	13,111 7,583
Public Transit System ²	4 27
TOTAL	13,115 7,610

GAINESVILLE

The population for the Gainesville urbanized area is projected to increase from an estimated 72,000 persons in 1970 to 127,000 by 1990.

**TRANSPORTATION SYSTEM NEEDS
Gainesville Urban Area**

	1972- 1977
Arterial and Collector	
Highway System ¹	45,016 32,048
Public Transit System ²	1,042 1,012
TOTAL	46,058 33,060

*Thousands of dollars

JACKSONVILLE

Jacksonville 1970 population is 529,000 persons which is predicted to grow to 758,000 by 1990.

TRANSPORTATION SYSTEM NEEDS Jacksonville Urban Area

	BACKLOG	1972- 1977
Arterial and Collector Highway System ¹	162,884	91,466
Public Transit System ²	11,928	48,256
TOTAL	174,812	139,722

KEY WEST

The 1970 census shows a population of 35,000 persons for the urbanized area of Key West, and this is projected to increase to 50,000 by 1990.

TRANSPORTATION SYSTEM NEEDS Key West Urban Area

	BACKLOG	1972- 1977
Arterial and Collector Highway System ¹	22,744	18,993
Public Transit System ²	208	171
TOTAL	22,952	19,164

*Thousands of dollars

LAKELAND

The Lakeland urbanized area had 51,000 people in 1970 that is projected to increase to 148,000 by 1990. Density of population will increase from 1,900 persons per square mile to 2,300 persons by 1990.

TRANSPORTATION SYSTEM NEEDS Lakeland Urban Area

	BACKLOG	1972- 1977
Arterial and Collector Highway System ¹	43,259	28,123
Public Transit System ²	1,409	2,695
TOTAL	44,668	30,818

LEESBURG-EUSTIS

The Leesburg-Eustis urbanized area population in 1970 was 23,000 persons, and this is projected to 55,000 persons by 1990.

TRANSPORTATION SYSTEM NEEDS Leesburg-Eustis Urban Area

	BACKLOG	1972- 1977
Arterial and Collector Highway System ¹	35,633	13,058
Public Transit System ²	149	77
TOTAL	35,782	13,135

*Thousands of dollars

MIAMI

The Miami urbanized area had a 1970 population of 1,219,000 persons that is expected to grow to 1,815,000 by 1990.

TRANSPORTATION SYSTEM NEEDS Miami Urban Area

	BACKLOG	1972- 1977
Arterial and Collector Highway System ¹	323,859	468,396
Public Transit System ²	45,101	444,448
TOTAL	368,960	912,844

NEW PORT RICHEY

New Port Richey's urbanized area (including both Port Richey and New Port Richey) experienced a rapid growth from 1960 to 1970. The population increased from 12,000 to nearly 43,000 persons in that period. It is projected that the 1990 population will increase to nearly 69,000 persons. By 1990 the population density will increase from about 970 to nearly 1,450 persons per square mile.

TRANSPORTATION SYSTEM NEEDS New Port Richey Urban Area

	BACKLOG	1972- 1977
Arterial and Collector Highway System ¹	16,908	10,274
Public Transit System ²	1,481	546
TOTAL	18,389	10,820

*Thousands of dollars

OCALA

The Ocala urban area population is projected to increase from 30,000 persons in 1970 to an estimated 65,000 by 1990.

TRANSPORTATION SYSTEM NEEDS Ocala Urban Area

	BACKLOG	1972- 1977
Arterial and Collector Highway System ¹	25,725	10,822
Public Transit System ²	221	1,267
TOTAL	25,946	12,089

ORLANDO

According to the 1970 census, 271,000 people reside in the urbanized area of Orlando. It is estimated that in 1990 the population will be 814,000.

TRANSPORTATION SYSTEM NEEDS Orlando Urban Area

	BACKLOG	1972- 1977
Arterial and Collector Highway System ¹	283,514	172,286
Public Transit System ²	1,454	8,343
Intercity Transit System ³	0	99,200
TOTAL	284,968	279,829

*Thousands of dollars

PANAMA CITY

Population in Panama City in 1970 was 57,000 persons, and a 1990 projection of 80,000 has been made.

TRANSPORTATION SYSTEM NEEDS Panama City Urban Area

	BACKLOG	1972- 1977
Arterial and Collector Highway System ¹	33,400	11,834
Public Transit System ²	368	2,110
TOTAL	33,768	13,944

PENSACOLA

The pensacola urbanized area is projected to increase from the 1970 population of 167,000 persons to 256,000 by 1990.

TRANSPORTATION SYSTEM NEEDS Pensacola Urban Area

	BACKLOG	1972- 1977
Arterial and Collector Highway System ¹	45,404	46,058
Public Transit System ²	151	868
TOTAL	45,555	46,926

*Thousands of dollars

ST. PETERSBURG

The St. Petersburg urbanized area, including the Cities of St. Petersburg, Clearwater, and Pinellas Park, reported a 1970 population of 495,000 persons. For the year 1990, the forecast for the population is 870,000 persons.

TRANSPORTATION SYSTEM NEEDS St. Petersburg Urban Area

	BACKLOG	1972- 1977
Arterial and Collector Highway System ¹	161,108	87,168
Public Transit System ²	2,532	14,525
TOTAL	163,640	101,693

SARASOTA-BRADENTON

The Sarasota-Bradenton urbanized area had a 1970 population of about 94,000 persons that is projected to increase to 254,000 by 1990.

TRANSPORTATION SYSTEM NEEDS
Sarasota-Bradenton Urban Area

	BACKLOG	
	1972-	1977
Arterial and Collector Highway System ¹	139,021	46,322
Public Transit System ²	2,226	1,018
TOTAL	141,247	47,340

*Thousands of dollars

TALLAHASSEE

The Tallahassee urbanized area is projected to grow in population from 78,000 persons in 1970 to an estimated 164,000 persons by 1990.

TRANSPORTATION SYSTEM NEEDS
Tallahassee Urban Area

	BACKLOG	
	1972-	1977
Arterial and Collector Highway System ¹	61,620	69,481
Public Transit System ²	1,230	1,257
TOTAL	62,850	70,738

TAMPA

The 1990 population in the Tampa urbanized area is projected to be 701,000 persons, compared to the 1970 population of 369,000 persons.

TRANSPORTATION SYSTEM NEEDS
Tampa Urban Area

	BACKLOG	
	1972-	1977
Arterial and Collector Highway System ¹	246,186	83,486
Public Transit System ²	3,860	4,064
TOTAL	250,046	87,550

*Thousands of dollars

WEST PALM BEACH

The West Palm Beach urbanized area had a 1970 population of 288,000 persons. It is projected that this population will grow to 668,000 persons by 1990.

TRANSPORTATION SYSTEM NEEDS
West Palm Beach Urban Area

	BACKLOG	
	1972-	1977
Arterial and Collector Highway System ¹	73,433	102,472
Public Transit System ²	1,433	1,684
TOTAL	74,866	104,156

WINTER HAVEN-AUBURNDALE

The Winter Haven-Auburndale urbanized area had an estimated 1970 population of 32,000 persons. The population of this urbanized area is expected to be 55,000 persons by 1990.

TRANSPORTATION SYSTEM NEEDS
Winter Haven-Auburndale Urban Area

	BACKLOG	
	1972-	1977
Arterial and Collector Highway System ¹	42,833	13,122
Public Transit System ²	213	1,219
TOTAL	43,046	14,341

*Thousands of dollars

**SUMMARY OF \$120 MILLION
ACCELERATED CONSTRUCTION OF THE INTERSTATE
(ACI) PROGRAM**

At the current level of funding the interstate construction program projected for fiscal year 1973-74 is \$85.8 million.

The proposal to commit \$120 million of General Revenue funds to the interstate construction program would increase this level to \$205.6 million.

Several reasons exist for consideration of this increased level of funding. First and foremost the interstate system represents the safest type of highway system yet designed. The early completion of the interstate system will result in the saving of numerous lives, the reduction of crippling injuries, and the accompanying financial loss.

With the rapid increase in inflation, the investment of funds now will bring closer the completion of the interstate system and consequently substantial savings will be realized in right of way acquisition as well as construction costs. Current figures show that construction costs are increasing at a rate of approximately 8% per year.

At the present time the Federal Government finances ninety cents out of each dollar of interstate construction expenses. There are indications that in the near future this ratio of funding will be changed and decreased possibly to as much as a 70-30 level. It would therefore behoove the State of Florida to take advantage of the present funding ratio using the surplus funds available thereby realizing a considerable savings over a lower federal funding ratio in the future.

If the \$120 million is committed to the ACI program thereby increasing its scope, the \$205.6 million could be committed as follows by route:

- I- 10—\$64.6 million would place under construction the balance of jobs on this route (13 projects)
- I- 95—\$74.0 million would place under construction the balance of jobs in Broward and Palm Beach Counties (9 projects)
- I-110—\$17.0 million would place under construction the last remaining project
- I-295—\$25.0 million would place under construction the balance of jobs on this route (4 projects)
- I- 75—\$25.0 million would place under construction three of the remaining seven projects in Pinellas County.

If the loan to the General Fund were limited to \$100 million, only one project in Pinellas County could be placed under construction at a cost of \$5 million.

Authorization for use of the \$120 million would allow an earlier construction date for projects on I-75, I-75E, I-95, I-110 and I-295. The accelerated construction letting schedule would be as follows:

- I- 75 Pinellas County—From 7/76 to 7/75
- I- 75 Naples to Miami—From 7/80 to 1/79
- I- 75E Hillsborough—From 7/78 to 7/76
- I- 95 Palm Beach and Broward—From 7/75 to 7/74
- Ft. Pierce to Palm Beach—From 7/79 to 7/77
- I-110 Escambia County—From 7/75 to 7/74
- I-295 Duval County—From 7/75 to 7/74

If the loan from the General Fund was increased to \$150 million a further acceleration of the letting of some projects on I-75, I-75E and I-95 could be realized. They would be as follows:

- I-75 Southwest—From 9/77 to 1/77
- I-75E Hillsborough—From 7/76 to 7/75
- I-95 Ft. Pierce to Palm Beach—From 7/77 to 1/77

ENROLLING REPORTS

Your Enrolling Clerk to whom was referred SB 228 reports same has been enrolled, signed by the required Constitutional officers and presented to the Governor on May 11, 1973.

ELMER O. FRIDAY, Secretary

Your Enrolling Clerk to whom was referred—

CS for SB 344 SB 117 SB 373 SB 419

—reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on May 11, 1973.

ELMER O. FRIDAY, Secretary

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Poston, SB 425 was withdrawn from the Committee on Judiciary by two-thirds vote and placed on the calendar.

On motion by Senator Pettigrew, SB 1070 was withdrawn from the Committee on Criminal Justice by two-thirds vote and from further consideration of the Senate.

On motions by Senator Pettigrew, Senate Bills 1010 and 1011 were withdrawn from the Committee on Ways and Means by two-thirds vote and from further consideration of the Senate.

On motion by Senator Brantley, SB 835 was withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the calendar.

REQUESTS FOR EXTENSION OF TIME

The Committee on Commerce requests an extension of 10 days for the consideration of the following:

SB 48 by Senator Horne	HB 691 by Representative
SB 98 by Senator Gillespie	Martinez
HB 110 by Representative	HB 706 by Representative
Conway	Harris
SB 122 by Senator	CS HB 754 by Representative
Scarborough	Culbreath
SB 143 by Senator Saylor	SB 1006 by Senator Childers
CS for HB 173 by Representa-	SB 1066 by Senator
tive Spicola	Scarborough
SB 216 by Senator Brantley	SB 1099 by Senator
SB 232 by Senator Firestone	Lane (23rd)
SB 239 by Senator Childers	SB 1104 by Senator
SB 242 by Senator	Lane (23rd)
Lane—31st	SB 1111 by Senator Brantley
SB 247 by Senator Johnston	SB 1116 by Senator Glisson
SB 251 by Senator Myers	SB 1127 by Senator Johnson
SB 351 by Senator Brantley	SB 1148 by Senator Deeb
SB 361 by Senator	SB 1159 by Senator Pettigrew
Lane (23rd)	SB 1191 by Senator
SB 407 by Senator Brantley	de la Parte
SB 433 by Senator Saylor	SB 1209 by Senator Johnston
SB 566 by Senator	SB 1220 by Senator Gordon
Lane (31st)	HB 1222 by Representative
SB 567 by Senator	Birchfield
Scarborough	SB 1250 by Senator Deeb
SB 659 by Senator	SB 1251 by Senator Deeb
Lane (31st)	SB 1256 by Senator
SJR 663 by Senator Glisson	Scarborough
SB 666 by Senator	SB 1258 by Senator Williams
Lane (31st)	SB 1285 by Senator Saunders
SB 667 by Senator Johnson	SB 1320 by Senator Williams
SB 688 by Senator Firestone	

The Committee on Health and Rehabilitative Services requests an extension of 10 days for the consideration of the following:

SB 21 by Senator Myers	SB 902 by Senator
SB 45 by Senator Deeb	Lane (31st)
SB 55 by Senator Deeb	SB 988 by Senators Smathers
SB 58 by Senator Johnson	and Myers
SB 59 by Senator Johnson	SB 990 by Senator Glisson
SM 61 by Senator Johnson	SB 253 by Senators Poston
SB 67 by Senator Deeb	and Lane (31st)
SB 69 by Senator Deeb	SB 297 by Senator Johnson
SJR 89 by Senator McClain	SB 385 by Senator Glisson
SB 159 by Senator Glisson	SB 603 by Senators Ware
SB 183 by Senators Johnson	and Glisson
and Lewis	SB 604 by Senator Glisson
SB 787 by Senator Lewis	SB 612 by Senator Glisson
SB 775 by Senator Vogt	SB 645 by Senators Gordon
SB 776 by Senator Vogt	and Firestone
SB 808 by Senator Johnson	SB 670 by Senator Gallen
SB 810 by Senator Vogt	SB 673 by Senator Zinkil
SB 831 by Senators	SB 769 by Senator Vogt
Pettigrew and Myers	HB 111 by Representative
SB 833 by Senator Gordon	Hodes
SB 842 by Committee on	SB 774 by Senator Vogt
Health and Rehabilitative	SB 1034 by Senator Smathers
Services	SB 1119 by Senator
SB 855 by Senator Plante	Lane (23rd)

SB 1121 by Senator	SB 1240 by Committee on
Lane (23rd)	Health and Rehabilitative
SB 1123 by Senator Winn	Services
SB 1143 by Senator Ware	SB 1249 by Senator Deeb
SB 1160 by Senator Pettigrew	SB 1278 by Senator Gillespie
SB 1163 by Senator Myers,	SB 1287 by Senator Smathers
et al	SB 1324 by Committee on
SB 1171 by Senator	Health and Rehabilitative
Lane (23rd)	Services and Senator
SB 1178 by Senator Poston	Firestone
SB 1219 by Senator Gordon	SB 1325 by Senator Pettigrew
SB 1233 by Senator Poston	

The Committee on Judiciary requests an extension of 10 days for the consideration of the following:

SB 319 by Senator Johnston	SB 1140 by Senator Pettigrew
SB 333 by Senator Pettigrew	SB 1149 by Senator Deeb
SB 369 by Senator Johnston	SB 1153 by Senator
SB 423 by Senator Smathers	Scarborough
SB 440 by Senator Wilson	SB 1161 by Senator
SB 460 by Senator McClain	Scarborough
SB 503 by Senator McClain	SB 1169 by Senator Vogt
SB 542 by Senator Gillespie	SB 1173 by Senator Gallen
SB 113 by Senator Glisson	SB 1174 by Senator Deeb
SB 672 by Senator Gordon	SB 1175 by Senator Deeb
SB 690 by Senator Gillespie	SB 1180 by Senator Pettigrew
SB 780 by Senator Gillespie	SB 1199 by Senator Deeb
SB 783 by Senator Gordon	SB 1200 by Senator Poston
SB 788 by Senator Deeb	SB 1201 by Senator Poston
SB 838 by Senator Graham	SB 1203 by Senator Deeb
SB 860 by Senator Childers	SB 1204 by Senator Deeb
SB 880 by Senator McClain	SB 1217 by Senator Gordon
SB 886 by Senator Pettigrew	SB 1234 by Senator
SB 899 by Senator Gordon	Scarborough
SB 976 by Senator McClain	SB 1243 by Senator Pettigrew
SB 1040 by Senator Graham	SB 1253 by Senator Pettigrew
SB 1060 by Senator	SB 1257 by Senator Pettigrew
de la Parte	SB 1279 by Senator Gillespie
SB 1064 by Senator Saylor	SB 1284 by Senator Henderson
SB 1073 by Senator Deeb	SB 1323 by Senator
SB 1072 by Senator Pettigrew	de la Parte
SB 1077 by Senator Deeb	CS HB 771 by Representative
SB 1091 by Senator Poston	Tucker
SB 1108 by Senator Pettigrew	HB 812 by Representative
SB 1117 by Senator	Rude
de la Parte	CS for HB 495 by Judiciary
SB 1132 by Senator Henderson	Committee
SB 1139 by Senator Pettigrew	

The Committee on Natural Resources and Conservation requests an extension of 10 days for the consideration of the following:

SB 1118 by Senator Graham	SB 1286 by Senator
SB 1157 by Senator Pettigrew	Lane (23rd)
SB 1259 by Senator Williams	

The Committee on Transportation requests an extension of 10 days for the consideration of the following:

SB 120 by Senator Saylor	HB 1181 by Committee on
SB 428 by Senator Gruber	Transportation
SB 869 by Senator Vogt	SB 498 by Senator
SB 877 by Senator Poston	Stolzenburg
CS for HB 658 by Committee	
on Insurance	

The Committee on Ways and Means requests an extension of 10 days for the consideration of the following:

SB 346 by Senator McClain

MESSAGES FROM THE GOVERNOR

The Governor advised that he had filed in the office of the Secretary of State Senate Bills 171, 211, 224, 329, 338, 352, 366 and 539 which he had approved May 11, 1973.

Honorable Mallory E. Horne
President, The Florida Senate
The Capitol

May 10, 1973

Dear Mr. President:

This is to advise that I have appointed Mr. W. D. Frederick, Jr., Orlando, Florida, as a member of the Pollution Control Board, to serve during the pleasure of the Governor.

It would be appreciated if the Senate would take up the confirmation of this appointment during the current session of the Florida Legislature.

Sincerely,
REUBIN ASKEW
Governor

The President referred the foregoing appointment to the Committee on Natural Resources and Conservation.

On motion by Senator Brantley, the Senate concurred in the House amendment to SB 633.

SB 633 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—34

Mr. President	Henderson	Plante	Vogt
Barron	Johnston	Poston	Ware
Brantley	Lane (31st)	Saunders	Weber
Childers	Lane (23rd)	Saylor	Williams
Deeb	Lewis	Scarborough	Wilson
Gillespie	McClain	Sims	Winn
Glisson	Myers	Smathers	Zinkil
Graham	Peterson	Sykes	
Gruber	Pettigrew	Trask	

Nays—None

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mallory E. Horne, President May 11, 1973

I am directed to inform the Senate that the House of Representatives has adopted SCR 692.

Allen Morris, Clerk

The Honorable Mallory E. Horne, President May 11, 1973

I am directed to inform the Senate that the House of Representatives has passed—

SB 23 CS for SB 367 SB 146

Allen Morris, Clerk

The bills contained in the above messages were ordered enrolled.

The Honorable Mallory E. Horne, President May 11, 1973

I am directed to inform the Senate that the House of Representatives has passed with amendment—

By Senator Brantley—

SB 633—A bill to be entitled An act relating to Savings and Loan Associations, amending Chapter 665, Florida Statutes, by renumbering section 665.031, Florida Statutes, repealing section 665.031(2)(b), Florida Statutes, and enacting new section 665.032, Florida Statutes, to impose fees and assessments on certain applications and examinations; providing the time within which the fees and assessments shall be paid; providing that the fees and assessments will be credited to the banking and trust company trust fund to be used by the department to administer Chapter 665, Florida Statutes; providing an effective date.

Which amendment reads as follows:

In the title on page 1, line 6, after "665.031", insert the following:

(2)(a)
and, in the title On page 1, line 7, after the word "Statutes," insert the following:

amending section 665.451(3), Florida Statutes,
and
On page 1, line 20, after "665.031", insert the following:

(2)(a)
and
On page 4, line 6, strike "preceeding" and insert the following:

preceding

and
On page 4, line 14, strike "," and insert the following:

and

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

The Honorable Mallory E. Horne, President May 11, 1973

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By Senator Poston—

SB 254—A bill to be entitled An act relating to executive appointments; amending §112.071(1)(a), (b), Florida Statutes, to provide that a data sheet containing background or biographical material concerning the appointee be sent to the senate with each appointment; providing for submission of fingerprint card; providing an effective date.

Amendment 1—On page 3, line 1-8, strike section 2

renumber section 3 accordingly

Amendment 2—On page 2, line 30, insert the following: After notification by the department of state, the pending appointments shall be subject to change or withdrawal only by the Governor making such appointments.

Amendment 3—On page 1, line 9, strike providing for submission of fingerprint card;

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

On motion by Senator Poston, the Senate concurred in House Amendment 1 to SB 254.

Senator Poston moved that the Senate concur in House Amendment 2 to SB 254.

Senator Deeb moved the adoption of the following amendment to Amendment 2:

Amendment 2a—

Following the word "appointments" insert: except those made after the last general election.

Senator Plante moved as a substitute motion that the Senate refuse to concur in Amendment 2 and the House be requested to recede therefrom. The substitute motion was adopted.

On motion by Senator Poston, the Senate concurred in Amendment 3 to SB 254.

SB 254 passed as further amended and the action of the Senate was certified to the House. The vote was:

Yeas—36

Mr. President	Graham	Peterson	Sykes
Barron	Gruber	Pettigrew	Trask
Brantley	Henderson	Poston	Vogt
Childers	Johnston	Saunders	Ware
Deeb	Lane (31st)	Saylor	Weber
de la Parte	Lane (23rd)	Scarborough	Williams
Gallen	Lewis	Sims	Wilson
Gillespie	McClain	Smathers	Winn
Glisson	Myers	Stolzenburg	Zinkil

Nays—None

The Honorable Mallory E. Horne, President May 11, 1973

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By Senators Gallen and Gillespie—

SB 118—A bill to be entitled An act relating to insurance agents; amending §626.968, Florida Statutes; increasing the amount permitted as an advertising gift from five dollars to twenty-five dollars; providing an effective date.

Amendment 1—On page 1, line 18, strike "twenty-five dollars" and insert the following: *ten dollars*

Amendment 2—In the title, on page 1, line 7, strike "twenty-five" and insert the following: *ten*

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

Senator Gallen moved that the Senate concur in Amendments 1 and 2 to SB 118.

On substitute motion by Senator Barron, the Senate refused to concur in Amendments 1 and 2, and the House was requested to recede therefrom. The action of the Senate was certified to the House.

The Honorable Mallory E. Horne, President May 11, 1973

I am directed to inform the Senate that the House of Representatives has passed—

By the Select Committee on Military & Veterans' Affairs and Representative Craig and others—

HB 1130—A bill to be entitled An act relating to the military code; amending §250.02(1) and (3), Florida Statutes, 1971, to provide that all citizens and persons declaring their intention to become citizens of this state shall constitute the militia of the state; amending §250.05, Florida Statutes, 1971, to change the name of the military department to the department of military affairs; amending §250.06(1) and (3), Florida Statutes, 1971, to expand the authority of the governor as commander in chief of the state militia under certain circumstances; amending §250.21(3), Florida Statutes, 1971, pertaining to retirement rank; amending §250.24, Florida Statutes, 1971, pertaining to pay and expenses for state active duty; repealing §250.031, Florida Statutes, 1971, creating a military reserve liaison officer; repealing §250.14, Florida Statutes, 1971, authorizing incorporation by a unit of the national guard; repealing §250.15, Florida Statutes, 1971, pertaining to honorary members of the national guard; repealing §250.17, Florida Statutes, 1971, pertaining to annual appropriations; repealing §250.402, Florida Statutes, 1971, pertaining to construction of armory in DeSoto County; repealing §250.422, Florida Statutes, 1971, providing for uniforms; repealing §250.53, Florida Statutes, 1969, as amended, pertaining to registration of aliens; providing an effective date.

By Representative Turlington—

HB 1293—A bill to be entitled An act relating to taxation; amending §214.71(3), Florida Statutes, 1971, Addendum, which relates to general methods of apportionment applicable to designated nonproperty taxes, to provide for determination of apportionment of sales other than sales of tangible personal property; providing an effective date retroactive to January 1, 1972.

By Representative Turlington—

HB 1376—A bill to be entitled An act relating to taxation; amending §213.072, Florida Statutes, 1971, relating to records and audits of the department of revenue, to provide that the department may provide the multistate tax commission with certain information and reports; amending §213.18, Florida Statutes, 1971, relating to interaudits, to provide that the department of revenue may request certain audits of the multistate tax commission; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HB 1130, contained in the above message, was read the first time by title and referred to the Committee on Governmental Operations.

House Bills 1293 and 1376, contained in the above message, were read the first time by title and referred to the Committee on Ways and Means.

The Honorable Mallory E. Horne, President May 11, 1973

I am directed to inform the Senate that the House of Representatives has passed—

By the Committee on Agriculture & Citrus—

HB 1896—A bill to be entitled An act relating to milk fat testers; amending chapter 502, Florida Statutes, by adding section 502.032; making it unlawful to test milk or milk products for milk fat without permit; requiring application for permit and keeping of records; providing for suspension or revocation; providing effective date.

By the Committee on Community Affairs and Representative Craig—

HB 1929—A bill to be entitled An act relating to the destruction of records; amending section 119.041, Florida Statutes; creating subsections (2), (3), and (4); providing for exemptions for paid bonds and bond interest coupons issued by the governing body of the several counties, municipalities, special districts, and school districts; providing an effective date.

By the Committee on Agriculture & Citrus—

HB 802—A bill to be entitled An act relating to plant industry; amending section 581.131, Florida Statutes, to authorize an increase in inspection fee; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HB 1896, contained in the above message, was read the first time by title and referred to the Committee on Agriculture.

HB 1929, contained in the above message, was read the first time by title and referred to the Committee on Governmental Operations.

HB 802, contained in the above message, was read the first time by title and referred to the Committee on Agriculture.

The Honorable Mallory E. Horne, President May 11, 1973

I am directed to inform the Senate that the House of Representatives has passed—

By the Committee on Agriculture & Citrus—

HB 803—A bill to be entitled An act relating to the department of agriculture and consumer services; amending section 570.09, Florida Statutes, to reduce the duties of assistant commissioner of agriculture; amending section 570.31(1), Florida Statutes, to authorize a director of the division of administration; providing effective date.

By Representative Webb—

HB 972—A bill to be entitled An act relating to the sale of securities; amending section 517.12(4), Florida Statutes, to provide for filing surety bond by dealers not members of Securities Investors Protection Corporation; and providing an effective date.

By the Committee on Agriculture & Citrus —

HB 1304—A bill to be entitled An act relating to meat inspection; amending section 585.34(22), Florida Statutes, to author-

ize inspection and permitting of custom slaughtering or processing establishments; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HB 803, contained in the above message, was read the first time by title and referred to the Committee on Governmental Operations.

HB 972, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

HB 1304, contained in the above message, was read the first time by title and referred to the Committee on Agriculture.

The Honorable Mallory E. Horne, President May 11, 1973

I am directed to inform the Senate that the House of Representatives has passed—

By the Committee on Commerce and Representative J. Thomas—

CS for HB 525—A bill to be entitled An act relating to funeral directors and embalmers; amending §470.10(5), Florida Statutes, 1972 Supplement; removing an obsolete clause; deleting the five (5) year restriction upon retaining the original name of a funeral home after it is sold; providing an effective date.

By the Committee on Agriculture and Citrus and Representative Mixson—

CS for HB 1532—A bill to be entitled An act relating to forest fire protection; amending §125.27(1), Florida Statutes, 1972 Supplement, requiring fire protection agreements between the division of forestry of the department of agriculture and consumer services and each county; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

CS for HB 525, contained in the above message, was read the first time by title and referred to the Committee on Consumer Affairs.

CS for HB 1532, contained in the above message, was read the first time by title and referred to the Committee on Governmental Operations.

The Honorable Mallory E. Horne, President May 10, 1973

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Insurance and Representative Papy—

CS for HB 1001—A bill to be entitled An act relating to insurance; providing that rental vehicles companies and their insurers may not proceed or subrogate against an individual rentee with respect to a third party liability claim arising out of the operation of a rental vehicle, except to the extent that such rentee is covered by insurance against such risk; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

CS for HB 1001, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

The Honorable Mallory E. Horne, President May 11, 1973

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Redman—

HB 81—A bill to be entitled An act relating to motor vehicle license taxes, mobile homes; amending section 320.081(3) and (4), Florida Statutes; relating to collection and distribution of fees; redefining the formula for the distribution of such fees to school boards, counties and cities; providing an effective date.

By the Committee on Retirement, Personnel & Claims and Representative Williams—

CS for HB 280—A bill to be entitled An act relating to restriction on employment of relatives; adding subsection (6) to §116.111, Florida Statutes, 1971, to allow employment of a relative if such relative has accrued to his credit at least five years of creditable service in any retirement system of this state; applies to all persons employed in any such retirement system as of December 31, 1972; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HB 81, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

CS for HB 280, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Mallory E. Horne, President May 10, 1973

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Elections and Representative Harris—

CS for HB 1720—A bill to be entitled An act relating to elections; political advertising; amending section 104.37(5), Florida Statutes, and adding a new subsection to require that certain information be included in advertisements endorsing candidates or endorsing or opposing any referendum; creating section 104.373, Florida Statutes, to require organizations making endorsements by means of political advertisements to supply certain information as a prerequisite to such advertisements and providing a penalty; creating section 104.374, Florida Statutes, to require candidates placing political advertisements to affirm the veracity of the contents and providing a penalty; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

CS for HB 1720, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

The Honorable Mallory E. Horne, President May 10, 1973

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Appropriations and Representative Johnson and Others—

CS for CS for HB's 315 & 376—A bill to be entitled An act relating to claims against the state; authorizing suits against the state or any of its agencies or political subdivisions for the tortious acts of their employees; providing a definition; providing for assistance; providing for appeals; providing for maximum claims; providing for notice; providing for service; providing a maximum on attorney fees; providing that officers and employees shall not be personally liable; providing the limitations of this act shall not apply when the entity has insurance; providing that the state or its agencies or subdivisions may purchase insurance if allowed by law; providing that claims must be filed within a certain period; providing that no action may be brought under certain circumstances; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

CS for CS for HB's 315 & 376, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

The Honorable Mallory E. Horne, President May 10, 1973

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Environmental Protection and Representatives Spicola and Brown—

CS for HB 233—A bill to be entitled An act relating to pollution control, providing statewide enforcement jurisdiction for the department of pollution control; providing for state enforcement of stricter local laws; providing for violations of stricter local laws; providing for local enforcement; providing for cooperation; amending subsection (6) of section 403.182 and creating new subsections (7), (8) and (9) of section 403.182, Florida Statutes; repealing subsection (5) of section 20.26, Florida Statutes, relating to the jurisdiction of the department; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

CS for HB 233, contained in the above message, was read the first time by title and referred to the Committees on Governmental Operations and Ways and Means.

The Honorable Mallory E. Horne, President May 11, 1973

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Transportation and Representative Holway and others—

CS for HB 1810—A bill to be entitled An act relating to transportation; amending section 334.211, subsection (6), Florida Statutes, to require written notice to all affected property owners, 20 days prior to holding a planning hearing. Requires publication in newspaper of notice for fourteen (14) days prior to all subsequent public hearings; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

CS for HB 1810, contained in the above message, was read the first time by title and referred to the Committee on Transportation.

The Honorable Mallory E. Horne, President May 11, 1973

I am directed to inform the Senate that the House of Representatives has passed—

By the Committee on Judiciary and Representative Richmond and others—

CS for HB 1289—A bill to be entitled An act relating to the regulation of the practice of law; amending section 454.23, Florida Statutes; providing penalty for unauthorized practice of law; providing an effective date.

By Representative Hodges and others—

HB 583—A bill to be entitled An act relating to regulation of boats; adding subsection (9) to §371.131, Florida Statutes, 1971, to exempt certain boats used exclusively for commercial fishing from the registration and numbering provisions of part I of chapter 371, Florida Statutes, 1971; providing an effective date.

By Representative Harris—

HB 605—A bill to be entitled An act relating to credit unions; amending §657.24, Florida Statutes, 1972 Supplement, relating to the rental of office space in government-owned

buildings to provide free office space for credit unions if certain determinations are made; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

CS for HB 1289, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

HB 583, contained in the above message, was read the first time by title and referred to the Committee on Natural Resources and Conservation.

HB 605, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

The Honorable Mallory E. Horne, President May 11, 1973

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Harris—

HB 1318—A bill to be entitled An act relating to taxation; amending subsection 193.052(3), Florida Statutes, to clarify who shall file a return required by that section; providing an effective date.

By Representative Smith and others—

HB 411—A bill to be entitled An act relating to juvenile courts; amending §39.02(1)(a), Florida Statutes, 1972 Supplement, relating to the jurisdiction of the juvenile courts, to provide for jurisdiction over children in need of supervision; providing an effective date.

By Representative Harlee—

HB 1426—A bill to be entitled An act relating to savings associations; amending subsection (1) of section 665.091, Florida Statutes, authorizing the annual meeting of members of the associations to be held at any time during the first three months of the association's fiscal year; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HB 1318, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

HB 411, contained in the above message, was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

HB 1426, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

The Honorable Mallory E. Horne, President May 10, 1973

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Business Regulation and Representative Andrews and others—

HB 1915—A bill to be entitled An act relating to unfair and deceptive trade practices, repealing parts III and IV of chapter 817, creating part II of chapter 501, Florida Statutes, to prohibit deceptive and unfair trade practices and to provide civil and administrative remedies for consumers, state attorneys and the department of legal affairs; creating section 570.283(10), Florida Statutes, giving certain authority to the division of consumer services of the department of agriculture; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HB 1915, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

The Honorable Mallory E. Horne, President May 9, 1973

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Fulford—

HB 1366—A bill to be entitled An act relating to aquatic plants; amending §20.25, Florida Statutes, transferring certain functions of the department of pollution control to the department of natural resources; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HB 1366, contained in the above message, was read the first time by title and referred to the Committee on Natural Resources and Conservation.

The Honorable Mallory E. Horne, President May 9, 1973

I am directed to inform the Senate that the House of Representatives has passed—

By the Committee on Education and Representative Johnson—

CS for HB 379—A bill to be entitled An act relating to compulsory school attendance; amending §232.06(1), Florida Statutes, allowing licensed practicing physicians, county health officers, or psychological examiners to certify a child mentally incapacitated for school attendance; providing an effective date.

By the Committee on Retirement, Personnel & Claims—

HB 1940—A bill to be entitled An act relating to the Florida retirement system; amending §121.021(15), Florida Statutes, 1972 Supplement, providing that the administrator shall approve certain positions as falling within the definition of special risk positions; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

CS for HB 379, contained in the above message, was read the first time by title and referred to the Committee on Education.

HB 1940, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

The Honorable Mallory E. Horne, President May 9, 1973

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Redman and others—

HB 39—A bill to be entitled An act relating to egg inspection fees; repealing section 583.07, Florida Statutes, eliminating the inspection fee collected by the department of agriculture and consumer services; providing an effective date.

By the Committee on Retirement, Personnel & Claims—

HB 1909—A bill to be entitled An act relating to the Florida retirement system; adding subsection (38) to §121.021, Florida Statutes, 1972 Supplement, to provide a definition of the term continuous service for the purposes of the Florida retirement system; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

House Bills 39 and 1909, contained in the above message, were read the first time by title and referred to the Committee on Ways and Means.

The Honorable Mallory E. Horne, President May 9, 1973

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Natural Resources and Representative Tittle—

CS for HB 276—A bill to be entitled An act relating to taking of marine corals and sea fans; providing prohibitions; providing penalties; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

CS for HB 276, contained in the above message, was read the first time by title and referred to the Committee on Natural Resources and Conservation.

The Honorable Mallory E. Horne, President May 9, 1973

I am directed to inform the Senate that the House of Representatives has passed—

By the Committee on Health & Rehabilitative Services and Representatives Smith and Avon—

CS for HB 410—A bill to be entitled An act relating to the parole and probation commission; amending §947.23(1), Florida Statutes, 1971, to require that only one (1) member of the commission conduct a parole revocation hearing and make findings upon the charge of parole violation but that a review of the record of the hearing be made and a final order be entered by the full membership of the commission; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

CS for HB 410, contained in the above message, was read the first time by title and referred to the Committee on Governmental Operations.

The Honorable Mallory E. Horne, President May 11, 1973

I am directed to inform the Senate that the House of Representatives has passed—

By the Committee on Education and Representative Papy—

CS for HB 366—A bill to be entitled An act relating to legal services for employees of public school boards amending Section 230.234, Florida Statutes; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

CS for HB 366, contained in the above message, was read the first time by title and referred to the Committee on Education.

The Honorable Mallory E. Horne, President May 9, 1973

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Health & Rehabilitative Services and Representatives Johnson and Fontana—

CS for HB 382—A bill to be entitled An act relating to adoption; providing intent and definitions; providing jurisdiction and venue; providing form and requirements for execution of consent; requiring notice of intention to place minor for adoption to division of family services with preliminary study and

recommendations by division or agency; prescribing contents of petition for adoption; requiring report of expenditures and receipts; requiring investigation and recommendations; providing for hearing on adoption and granting or dismissal of petition; curing irregularities and defects; providing for confidentiality; providing penalties; recognizing foreign decrees; providing for issuance of new birth record; requiring issuance of final judgment to all parties; repealing §§63.011-63.291, Florida Statutes, 1971, relating to declaration of policy, jurisdiction and venue, licensed child-placing agencies, jurisdiction of division of family services, proof of permanent commitment and of license of agency, who may adopt, petition, consent, social investigation, persons resisting adoption, guardian ad litem, hearing, final judgment, effect of adoption, filing statement with bureau of vital statistics, prior proceedings, confidential records, custody, irregularities and defects cured, and adoption of adults; repealing §828.031, Florida Statutes, 1969, as amended, relating to placement, selling, and advertisement of adoption of children; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

CS for HB 382, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

The Honorable Mallory E. Horne, President May 9, 1973

I am directed to inform the Senate that the House of Representatives has adopted as amended—

By Representative Steinberg and others—

HCR 2009—A concurrent resolution commending and honoring the Twenty-fifth (25) anniversary of the founding of the State of Israel.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HCR 2009, contained in the above message, was read the first time by title and placed on the calendar.

The Honorable Mallory E. Horne, President May 9, 1973

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Poole and others—

HB 1109—A bill to be entitled An act relating to nonpublic colleges; amending §246.021(1), Florida Statutes, 1972 Supplement, as amended by §1, chapter 72-203 and §70, chapter 72-221, Laws of Florida, adding paragraph (g) to said subsection; to exclude religious colleges from the meaning of the word "college"; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HB 1109, contained in the above message, was read the first time by title and referred to the Committee on Education.

The Honorable Mallory E. Horne, President May 10, 1973

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Kershaw and others—

HB 1072—A bill to be entitled An act relating to the investment of surplus public funds; amending Chapter 125.31 (4), Florida Statutes, to remove the time limitation required to invest surplus public funds; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HB 1072, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

The Honorable Mallory E. Horne, President May 10, 1973

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Tillman—

HB 425—A bill to be entitled An act relating to education; amending §232.01 (1)(d), Florida Statutes; providing for admission of migrant children to the first grade at a time other than the first month of school; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HB 425, contained in the above message, was read the first time by title and referred to the Committee on Education.

The Honorable Mallory E. Horne, President May 10, 1973

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Business Regulation and Representative Libertore—

HB 1906—A bill to be entitled An act relating to the division of hotels and restaurants; creating §509.012, Florida Statutes; defining division, owner or operator, guest, public lodging establishments, public food service establishments, director, single complex of buildings, ironed, transient occupancy, and transient; amending §§509.032, 509.071, 509.091, 509.101, 509.111, 509.131, 509.141, 509.142, 509.151, 509.161, 509.162, 509.171 509.181, 509.191, 509.201, 509.211(6), (8) and (11), 509.221, 509.241 (1) and (5), 509.261, 509.281 and 509.292, Florida Statutes; replacing obsolete language with new definitions; revising and deleting obsolete or vague provisions; changing standards for exits from certain establishments; changing the square footage requirement of subsection (8) of §509.211, Florida Statutes, from 2,500 square feet to 3,000 square feet; changing the definition of public lodging establishments in subsection (1)(a) of §509.241, Florida Statutes; correcting the definition of fresh juice appearing in subsection 2 of §509.292, Florida Statutes, providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HB 1906, contained in the above message, was read the first time by title and referred to the Committee on Consumer Affairs.

The Honorable Mallory E. Horne, President May 9, 1973

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representatives Sessums and Foster—

HB 1140—A bill to be entitled An act relating to workmen's compensation; amending §440.13(1) and (2), Florida Statutes, 1971; providing that an injured employee shall have the right to select a physician reasonably necessary for medical treatment furnished by the employer; providing that the employer may exercise one (1) peremptory objection to the physician selected; providing that the division of labor and employment opportunities may order a change in remedial care for cause; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HB 1140, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

The Honorable Mallory E. Horne, President May 10, 1973

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative M. L. Singleton and others—

HB 513—A bill to be entitled An act relating to education; adding paragraphs (g) and (h) to §232.01(1), Florida Statutes, 1971, relating to minimum ages for school attendance, to provide that certain children may enter public school at an age earlier than allowed by present law; providing an effective date.

—and requests the concurrence of the Senate therein.

Allen Morris, Clerk

HB 513, contained in the above message, was read the first time by title and referred to the Committee on Education.

On motion by Senator Zinkil, unanimous consent was obtained to take up out of order—

HCR 2009—A concurrent resolution commending and honoring the Twenty-fifth (25) anniversary of the founding of the State of Israel.

On motions by Senator Zinkil, by two-thirds vote HCR 2009 was read the second time by title, adopted and certified to the House. The vote was:

Yeas—33

Mr. President	Gruber	Plante	Ware
Barron	Henderson	Poston	Weber
Brantley	Lane (31st)	Sayler	Williams
Childers	Lane (23rd)	Sims	Wilson
de la Parte	Lewis	Smathers	Winn
Gallen	McClain	Stolzenburg	Zinkil
Gillespie	Myers	Sykes	
Glisson	Peterson	Trask	
Graham	Pettigrew	Vogt	

Nays—None

On motion by Senator Weber, unanimous consent was obtained to take up out of order—

HCR 857—A concurrent resolution recognizing and congratulating Collier County on the occasion of its fiftieth anniversary.

—which was read the second time in full, adopted and certified to the House. The vote was:

Yeas—34

Mr. President	Henderson	Plante	Vogt
Barron	Johnson	Poston	Ware
Brantley	Johnston	Sayler	Weber
Childers	Lane (31st)	Scarborough	Williams
de la Parte	Lane (23rd)	Sims	Wilson
Gallen	Lewis	Smathers	Winn
Gillespie	McClain	Stolzenburg	Zinkil
Glisson	Myers	Sykes	
Gruber	Peterson	Trask	

Nays—None

Pursuant to Rule 4.14, Senator Trask gave notice of intention to take up HB 1392 out of order.

SPECIAL ORDER

SB 380 was taken up and on motion by Senator Trask—

CS for HB 428—A bill to be entitled An act relating to Florida land sales; amending section 478.23 Florida Statutes, by adding paragraph (3) prohibiting disposition of interest in subdivisions by utilization of long distance telephone sales except under certain circumstances; providing for restitution and recovery of attorney's fees for violation of section; providing an effective date.

—a companion measure was substituted therefor and read the second time by title.

The Committee on Consumer Affairs offered the following amendment which was moved by Senator Trask:

Amendment 1—On page 1, lines 23-29, and page 2, lines 1-18, strike all of lines 23-29, page 1, and lines 1-18, page 2, and insert: by long distance telephone, unless one of the following enumerated actions takes place subsequent to the solicitation of the sale by long distance telephone:

(a) The prospective purchaser has personally inspected the property prior to the execution of the agreement to purchase and has so certified in writing; or

(b) The subdivider has furnished the prospective purchaser with a copy of a sales script approved by the division and a salesman registered and licensed in the state in which the purchaser resides has personally delivered to the prospective purchaser a current public offering statement prior to the execution of the agreement to purchase, and the purchaser has so certified in writing.

Section 2. This act shall take effect on July 1, 1973.

Senator Weber moved the adoption of the following amendment to amendment 1 which failed:

Amendment 1a—On page 1, line 6 of typed amendment strike "or" and insert:

(b) The prospective purchaser has indicated his intention to purchase without having personally inspected the property prior to the execution of the agreement to purchase and has so certified in writing; or

(c) (re-letter subsequent paragraph)

On motion by Senator Ware the following amendment to Amendment 1 was adopted:

Amendment 1b—Following subsection (b) insert: (c) Any contract for the sale or sale of subdivided lands in violation of this section shall be void and the purchaser may in addition to any other remedy recover from the seller the total amount paid on the contract or sale by the purchaser and a reasonable attorney's fee.

Amendment 1 as amended was adopted.

The Committee on Consumer Affairs offered the following title amendment which was adopted on motion by Senator Trask:

Amendment 2—On page 1, lines 9 and 10 strike the words "providing for restitution and recovery of attorney's fees for violation of section;"

Senator Trask moved that the Senate immediately reconsider the vote by which Amendment 2 was adopted this day and the Senate reconsidered.

The question recurred on the adoption of Amendment 2, which failed.

On motion by Senator Ware the following amendment was adopted:

Amendment 3—On page 1, line 22, after "state" insert: or any other state

On motion by Senator Trask the following amendment was adopted:

Amendment 4—On page 2 insert:

Section 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Renumber subsequent subsection.

On motion by Senator Trask the following title amendment was adopted:

Amendment 5—On page 1, prior to the effective date insert: providing severability;

On motion by Senator Trask, by two-thirds vote CS for HB 428 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—33

Mr. President	Johnston	Poston	Ware
Brantley	Lane (31st)	Saunders	Weber
Childers	Lane (23rd)	Scarborough	Williams
de la Parte	Lewis	Sims	Wilson
Gillespie	McClain	Smathers	Winn
Glisson	Myers	Stolzenburg	Zinkil
Graham	Peterson	Sykes	
Gruber	Pettigrew	Trask	
Johnson	Plante	Vogt	

Nays—2

Barron Gallen

By unanimous consent Senator Saylor was recorded as voting yea.

SB 380 was laid on the table.

On motion by Senator Trask, the rules were waived and CS for HB 428 as amended was immediately certified to the House.

CS for HB 979—A bill to be entitled An act relating to the land sales industry; amending paragraph (b) of subsection (1) of section 478.121, Florida Statutes, to require that lands offered for registration be platted; providing an effective date.

—was read the second time by title.

The Committee on Consumer Affairs offered the following amendment which was adopted on motion by Senator Trask:

Amendment 1—On page 2, line 9 after the words "required to comply" insert: , on the date of registration,

The Committee on Consumer Affairs offered the following amendment which was adopted on motion by Senator Trask:

Amendment 2—On page 2, lines 13 through 15 strike all of Section 2 and insert: Section 2. (a) This act is enacted by the legislature as a remedial measure and shall take effect upon becoming a law.

(b) This act shall be applicable to any subdivision or subdivided lands for which registration was granted on or after April 1, 1973, and the registrant of any such subdivision or subdivided lands shall have a period of ninety (90) days after this act becomes a law within which to provide the affirmative showing herein required. If registration of any such subdivision or subdivided lands is granted without the affirmative showing herein required and such showing is not provided within such ninety (90) day period, the registration shall thereupon become invalid and of no further force and effect.

The Committee on Consumer Affairs offered the following title amendment which was adopted on motion by Senator Trask:

Amendment 3—On page 1, line 8 strike the period "." and insert: and requiring compliance for lands registered on or after April 1, 1973.

Senator McClain moved the adoption of the following amendment:

Amendment 4—On page 1, lines 19 through 28 strike all of the language on lines 19 through 28 beginning with the word "If" through "improvements;" and insert:

If the subdivided lands offered for registration are located within or without this state, a proposed plat which meets the criteria required by applicable law or ordinance and which must be recorded prior to the sale of any lands;

On motion by Senator Graham the following amendment to amendment 4 was adopted:

Amendment 4a—On page 1, lines 19-26, strike all of the language on lines 19 through 26 beginning with the word "if" through "interests"

By permission Senator McClain withdrew Amendment 4 as amended.

On motion by Senator Graham the following amendment was adopted:

Amendment 5—At the end of Section 2 as amended, insert: (c) The additional requirements imposed by the provisions of this act shall become applicable on January 1, 1974, with respect to any subdivision or subdivided lands for which the division has granted a registration prior to April 1, 1973. The registrant of any such subdivision or subdivided lands shall have until January 1, 1974, within which to provide the affirmative showing herein required, without additional registration of the subdivision or subdivided lands. The registration of any subdivision or subdivided lands for which the affirmative showing herein required is not made by January 1, 1974, as herein provided shall become invalid and of no further force or effect.

On motion by Senator Graham the following title amendment was adopted:

Amendment 6—On page 1, line 8 after "effective date" strike the period and insert: and required compliance in ninety (90) days for lands registered on or after April 1, 1973, and by January 1, 1974, for lands registered prior to April 1, 1973.

On motion by Senator Graham the following amendment was adopted:

Amendment 7—On page 2, line 1 after the words "specified time" insert: , but not later than ten (10) years from the date registration is granted,

On motion by Senator Graham the following title amendment was adopted:

Amendment 8—On page 1, line 8 after the word "platted" strike the semicolon and insert: and a showing made that local requirements as to certain utilities and improvements will be met by a specified time within ten (10) years after registration granted;

Senator Graham moved the adoption of the following amendment:

Amendment 9—On page 2, between lines 12 and 13 insert:

"Section 2. Section 478.121, Florida Statutes, is amended by adding subsections (4) and (5) to read:

(4) If the subdivided lands, or any portion thereof are subject to the permit requirements of chapter 253, Florida Statutes, the subdivider shall, prior to the entry of an order, pursuant to section 478.25(2), Florida Statutes, registering the subdivided lands, furnish evidence satisfactory to the division that all permits required by the terms of chapter 253, Florida Statutes, have been obtained. It is provided, however, that all permits or approvals required by this subsection shall be issued for an initial period of time which shall terminate not earlier than the scheduled completion date of the promised improvements for the subdivided lands being filed for registration, but in no event shall such permits be for a term longer than five (5) years from the date of issuance. The five (5) year period shall commence upon receipt by the applicant of all governmental authorizations, state and Federal, including such certification, permit, or variance from the department of pollution control under chapter 403, Florida Statutes, as may be required for completion of the promised improvements. Extensions of the permits referred to herein shall be governed by the provisions of chapter 253, Florida Statutes.

(5) If the subdivided lands, or any portion thereof, are subject to the permit or certification requirements of the Federal Water Pollution Control Act (PL 92-500), the subdivider shall, prior to the entry of an order, pursuant to section 478.25(2),

Florida Statutes, registering the subdivided lands, furnish evidence satisfactory to the division that state certificates or permits required by the Federal Water Pollution Control Act have been obtained.

Section 3. Section 478.25, Florida Statutes, is amended by adding subsection (4), to read:

478.25 Notice of filing and registration.—

(4)(a) Notwithstanding the provision of subsections (4) and (5), of section 478.121, Florida Statutes, the land sales division shall enter an order registering subdivided lands, which are otherwise qualified for registration, pursuant to this act, when the applicant submits evidence that he has applied for the permits, approvals or certifications required by chapters 253 and 403, Florida Statutes, the Federal Water Pollution Control Act (PL 92-500), and the administrative rules and regulations of the state of Florida department of pollution control, and the state agency charged with the responsibility of issuing such permits, approvals or certifications, has failed within one hundred twenty (120) days of the filing of the applications, either:

1. To issue such a permit, approval, or certification; or,
2. To issue a denial of such application without setting forth in writing the regulations, guidelines, and criteria or standards used in evaluating the application; the reasons for denial and the regulations, guidelines and criteria the application fails to satisfy; and, the action the applicant would have to take to satisfy the agency's permit, approval or certification requirements.

(b) Any subdivider who is issued an order of registration under this subsection shall be required to show in its public offering statement, in a manner prescribed by the division, that it has not been granted the necessary permit, approval, certification or other authorization which must be granted prior to the construction of a specified improvement.

Renumber Section 2 as Section 4.

Senator Plante raised a point of order that the amendment was out of order as the title of the bill speaks specifically to platting and amending section 478.121. The amendment deals with permitting—section 478.25, chapters 253 and 403 and bringing under compliance in this bill those sections of the law.

President: Let me direct you to the title of the bill that accommodated the subject matter of Senator Graham's amendment. It, like the House bill under consideration, begins by saying a bill to be entitled an act relating to the land sales industry. The title to this House bill begins the same way. In the further announcement of the title, it sophisticates itself down to the point of relating to platting or permitting but in its original impact relates to land sales industry. Usually the test of subject matter is taken in the context of references to chapters and sub-definitions of chapters in the statutes but since the two bills had that broader based context, I rule that the amendment is in order and the point not well taken.

Amendment 9 was adopted by the following vote:

Yeas—18

Mr. President	Johnson	Poston	Wilson
de la Parte	Lane (31st)	Saylor	Winn
Gillespie	Lane (23rd)	Stolzenburg	Zinkil
Graham	Myers	Vogt	
Henderson	Pettigrew	Williams	

Nays—16

Brantley	Johnston	Plante	Sykes
Childers	Lewis	Scarborough	Trask
Glisson	McClain	Sims	Ware
Gruber	Peterson	Smathers	Weber

By unanimous consent Senators Lewis, Sykes, McClain and Smathers changed their votes from nay to yea.

Explanations of vote

I voted no on Senator Graham's amendment 9 to CS for HB 979 in order to try to keep the questions of "platting" and "per-

mitting" separate and in different bills as voted by the Committee on Consumer Affairs. I am in favor of the intent of the amendment but am opposed to its placement on this bill.

Alan Trask, 18th district

I voted "nay" on amendment 9 by Senator Graham to CS for HB 979 as the Committee on Consumer Affairs, of which I am a member, recommended two bills separating the questions of "platting" and "permitting". I am in favor of the intent of the amendment but object to its being placed on this bill.

Jim Glisson, 11th District

On motion by Senator Graham the following amendment was adopted:

Amendment 10—On page 1, line 8, following the semicolon insert the following: amending section 478.121, Florida Statutes, by providing that all permits required under chapter 253, Florida Statutes, and chapter 403, Florida Statutes, be obtained prior to sale of subdivided lands and for extending length of permits under chapter 253, Florida Statutes, for not longer than five (5) years; amending section 478.25, Florida Statutes, by adding subsection (4) providing that upon failure of the state to act upon applications filed pursuant to subsections (4) and (5) of section 478.121, Florida Statutes, within one hundred twenty (120) days of the filing of the application, the land sales division shall enter an order registering the subdivided lands for sale, setting forth the form of agency action required;

On motion by Senator McClain the following amendment was adopted:

Amendment 11—On page 1, line 23 after the word "state" insert: the subdivided lands offered for registration shall have a proposed plat which meets the criteria required by applicable law or ordinance and which must be recorded prior to the sale of any lands, and in addition,

On motion by Senator Graham the following amendment was adopted:

Amendment 12—At the end of Section 2 (effective date) as amended add the following: (d) The foregoing provisions of this section are hereby made applicable only to Section 1 of this act. Section 2 and 3 of this act shall take effect on October 1, 1973.

On motion by Senator Williams the following amendment was adopted:

Amendment 13—On page 1, line 28 strike the comma and insert: and a showing that the access road to and all streets within the subdivision or subdivided lands will be hard surfaced or paved pursuant to specifications adopted by the appropriate local governing body and arrangements acceptable to the division have been made for their permanent maintenance;

On motion by Senator McClain the following amendment was adopted:

Amendment 14—On page 2, between lines 12 and 13 add a new section 3

Section 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Renumber subsequent section.

On motion by Senator McClain the following amendment was adopted:

Amendment 15—On page 1, line 8 before the phrase "providing an effective date" insert: providing severability;

On motion by Senator Trask, by two-thirds vote CS for HB 979 as amended was read the third time by title and passed. The vote was:

Yeas—36

Mr. President	Henderson	Pettigrew	Sykes
Brantley	Johnson	Plante	Trask
Childers	Johnston	Poston	Vogt
de la Parte	Lane (31st)	Saunders	Ware
Gallen	Lane (23rd)	Saylor	Weber
Gillespie	Lewis	Scarborough	Williams
Glisson	McClain	Sims	Wilson
Graham	Myers	Smathers	Winn
Gruber	Peterson	Stolzenburg	Zinkil

Nays—None

On motion by Senator Henderson, the rules were waived and CS for HB 979 as amended was ordered immediately certified to the House.

Notice having been given pursuant to Rule 4.14, on motion by Senator Trask, unanimous consent was obtained to take up out of order—

HB 1392—A bill to be entitled An act relating to prohibitions on dispositions of interests in subdivisions; amending §478.23 (1), Florida Statutes, by providing punctuation and language to remove ambiguity; providing an effective date.

—which was read the second time by title.

The Committee on Consumer Affairs offered the following amendment which was adopted on motion by Senator Trask:

Amendment 1—On page 1, line 22 strike “to persons in this state”

On motion by Senator Trask, by two-thirds vote HB 1392 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Johnson	Plante	Trask
Brantley	Johnston	Poston	Vogt
de la Parte	Lane (31st)	Saunders	Ware
Gallen	Lane (23rd)	Saylor	Weber
Gillespie	Lewis	Scarborough	Williams
Glisson	McClain	Sims	Wilson
Graham	Myers	Smathers	Winn
Gruber	Peterson	Stolzenburg	Zinkil
Henderson	Pettigrew	Sykes	

Nays—None

By unanimous consent Senator Childers was recorded as voting yea.

On motion by Senator Trask the rules were waived and HB 1392 as amended was immediately certified to the House.

Disclosure Pursuant to Rule 1.36

Although my law firm of Pettigrew and Bailey represents United Resources, Inc., a public company which has acquired certain land sales companies in Florida, I have been a strong supporter of reform of our land sales regulatory practices and have accordingly voted on the land sales package reported by the Senate Consumer Affairs Committee.

Richard A. Pettigrew, 39th district

SB 484 was taken up, together with:

By the Committee on Commerce—

CS for SB 484—A bill to be entitled An act relating to regulation of motor carriers operating vehicles in taxicab operation; amending §323.01(9), Florida Statutes, to delete references to transportation of persons; adding subsection (19) to §323.01, Florida Statutes, to define “taxicab”; amending §323.05, Florida Statutes, to delete provisions relating to taxicabs; creating §323.052, Florida Statutes, relating to motor

carriers engaged in taxicab operation; prescribing fees and taxes; providing procedures for issuing permits and approval of rates; creating §323.053, Florida Statutes, preserving regulatory powers of municipalities over taxicabs under existing law; adding subsection (6) to §323.29, Florida Statutes, removing motor carriers engaged in taxicab operation from the exemptions of the section; providing a grandfather clause; providing an effective date.

—which was read the first time by title and SB 484 was laid on the table.

On motion by Senator Brantley, by two-thirds vote CS for SB 484 was read the second time by title.

The Committee on Commerce offered the following amendment which was adopted on motion by Senator Brantley:

Amendment 1—On page 17, line 7 after the word “authority” insert the following: as to such area or portion thereof as remains unincorporated

The Committee on Commerce offered the following amendment which was moved by Senator Brantley:

Amendment 2—On page 11, strike all of lines 10 through 14 and insert: a public hearing to determine that public convenience and necessity require that such additional franchise, license or permit be granted.

On motion by Senator Brantley the following amendment to the amendment was adopted:

Amendment 2a—On page 1, line 1 of amendment No. 2 strike “to determine that” and insert: *determine whether*

Amendment 2 as amended was adopted.

On motion by Senator Brantley the following amendment was adopted:

Amendment 3—On page 8, lines 17-19 strike “, which permit shall issue only after a public hearing and proof that public convenience and necessity requires such operation.”

On motion by Senator Brantley the following amendment was adopted:

Amendment 4—On page 15, line 6 after the word “municipality” insert: or charter county

On motion by Senator Brantley the following amendment was adopted:

Amendment 5—On page 12, line 2 after the word “cities” strike the period and insert: , except in chartered counties where the charter provides otherwise.

On motion by Senator Brantley, by two-thirds vote CS for SB 484 as amended was read the third time by title.

Senator Zinkil announced that the Select Committee of the Committee on Consumer Affairs to consider SB 836 relating to condominiums and cooperative apartments would meet at 5:00 p.m. May 15.

Senator Saunders announced that the Select Committee on Assessment Practices would meet at 8:00 a.m. May 15 to consider SB 830 and HB 1331.

On motion by Senator Barron, by two-thirds vote, the session of the Senate scheduled for Wednesday, May 16, from 9:00 a.m. until 12:00 noon was cancelled; the meeting of the Committee on Ways and Means scheduled from 5:00 p.m. until 9:00 p.m. on Tuesday, May 15, was rescheduled for Wednesday, May 16, from 2:00 p.m. until midnight; the meeting of the Committee on Criminal Justice on May 15 was rescheduled for 5:00 p.m. until 7:00 p.m.; the meetings of the Committees on Education, Judiciary, Transportation and Natural Resources and Conservation on May 16 were rescheduled for 8:00 a.m. until 10:30 a.m.; the meetings of the Committees on Governmental Operations, Health and Rehabilitative Services and Agriculture were rescheduled for 10:30 a.m. until 1:00 p.m.

Senator Barron announced that the Committee on Rules and Calendar would meet May 15 at 1:45 p.m. to make a determination if an emergency exists pursuant to Rule 4.4 as to bills by Senator Poston relating to court review and drivers' licenses and a bill by Senator Myers and others relating to the Cuban Refugee assistance program.

Communications Formally Filed

The annual report of the Capitol Center Planning Commission was filed in the office of the Secretary of the Senate.

The Journal of May 10 was corrected and approved.

The Journal of May 4 was further corrected as follows and approved: Page 347, counting from the bottom of column 1, line 33 and column 2, line 6 before "CS" insert: CS for

CO-INTRODUCERS

By permission Senator Winn was recorded as a co-introducer of SB 1122 and Senator Pettigrew as a co-introducer of SB 1292.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 5:02 p.m. to convene at 9:00 a.m., May 15, 1973.

**LOBBYIST REGISTRATIONS UNDER SENATE RULE NINE
MAY 7, 1973 THROUGH MAY 11, 1973**

<i>Name & Address</i>	<i>Entity Represented and Address</i>	<i>Legislation Involved; Association with Legislator</i>
Adler, Ellen Debra 950 Johnson St. Hollywood, 33020	Self Same	General bills
Andrews, Charles F. 6880 Indian Creek Dr. Miami Beach, 33140	Police and Fire P.O. Box 1101 Miami Beach, 33139	Any and all legislation pertaining to police and fire service
Andrews, Maria Linda 2816 Wiley St. Hollywood, 33020	Self Same	General bills
Baird, Orrin Dole 10 W. Main St. Apopka, 32703	United Farm Workers, AFL-CIO Same	Agricultural labor
Barkelew, R. B. Broward Co. Courthouse Ft. Lauderdale	Broward Co. Commission Same	Co. Commission legislation
Batchelor, Dick J. 501 Park Ave., North Winter Park, 32789	Samuel Kahn & self South Orange Blossom Trail Orlando	Gun control, majority rights, environ. control, taxes, et. al.
Becker, James Eugene #7 Fraternity Row Gainesville, 32601	University of Florida	General
Bedell, George C. 107 W. Gaines St. Tallahassee, 32304	Board of Regents Same	Legislation affecting BOR
Bellevue, Woneta A. 625 N.E. 4th St. Ft. Lauderdale, 33301	Self	General legislation
Bishop, Cheryl Anita 805 N.W. 3rd Ave. Hallandale, 33009	Self Same	General bills
Brand, Mary Anne P.O. Box 1199 Jacksonville, 32201	Zero Population Growth 2027 Oak St. Jacksonville, 32204	Population
Cantrell, Bessie L. P.O. Box 13131 Univ. Stat. Gainesville, 32601	AA Degree Nurses working toward BS degree	Nursing legislation
Catania, Deborah Sophia 827 N. Northlake Dr. Hollywood, 33020	Self Same	General bills
Catania, James 827 N. Northlake Dr. Hollywood, 33020	Self Same	General bills
Chaiken, Fredric 1985 S. Ocean Drive Apt. #19 Hallandale, 33009	Self Same	General bills

**LOBBYIST REGISTRATIONS UNDER SENATE RULE NINE
MAY 7, 1973 THROUGH MAY 11, 1973 (Continued)**

<i>Name & Address</i>	<i>Entity Represented and Address</i>	<i>Legislation Involved; Association with Legislator</i>
Clements, Allen, Jr. 1701 Meridian Ave. Miami Beach, 33139	Dade League of Cities, Inc. 401 ½ E. 1st Ave. Hialeah, 33010	Municipalities & counties: As atty, representing Savings and Loan Assn. of which Sen. Jack D. Gordon is pres.
Cooley, Byron Nicholas 2242 Dewey St. Hollywood, 33020	Self Same	General bills
Cooney, James Joseph 600 Brickell Avenue Miami, 33131	American Bankers Insurance Group Same	Insurance
Cooper, Mary Jo 2413 Harding St. Hollywood, 33020	Self Same	General bills
Cunningham, Marianne Coombs Supreme Court Tallahassee, 32304	VA Same	VA bills
D'Apice, Joseph P.O. Box 111 Ojus, 33163	Condominium owners Same	Condominium bills
Davis, Frances Box 2050 Jacksonville, 32233	State Division of Family Services Same	Legislation relating to children
Diaz, Ana Margarita 2522 Wilson St. Hollywood, 33020	Self Same	General bills
Dodds, Mark Logan 2108 N. 14th Terrace Hollywood, 33020	Self Same	General bills
Domanski, Micheal 725 S. Bronough St. Tallahassee	Dept. of Administration— Div. of State Planning Same	Natural resources and environmental management
Drickman, Daryl Jill 858 South Southlake Dr. Hollywood, 33020	Self Same	General bills
Estrada, Fidel 10 W. Main St. Apopka, 32703	United Farm Workers, AFL-CIO Same	Agricultural labor
Fields, Alan Boyd, Jr. P.O. Drawer F Palatka, 32077	Putnam County Public Hospital Authority Putnam Memorial Hospital Palatka, 32077	Special (local) legislation— Putnam County
Findling, Ruth E. 416 N. Country Club Dr. Atlantis, 33462	League of Women Voters of Florida 324 Datura St. West Palm Beach, 33401	General

**LOBBYIST REGISTRATIONS UNDER SENATE RULE NINE
MAY 7, 1973 THROUGH MAY 11, 1973 (Continued)**

<i>Name & Address</i>	<i>Entity Represented and Address</i>	<i>Legislation Involved; Association with Legislator</i>
Fokes, Robert W. 800 Barnett Bank Bldg. Tallahassee, 32301	Florida Medical Assoc. Riverside Avenue Jacksonville	Matters relating to medical care and physicians
Forman, Hamilton C. 3600 N. Federal H'way Ft. Lauderdale, 33304	Self	General business, health, education, welfare, conservation etc.: Am a member subscriber for a state bank charter with Van Poole.
Galaska, Susan D. 1819 Washington St. Hollywood, 33020	Self Same	General bills
Garcia, Roland 4150 N.W. 7 Ave. Miami, 33127	Bonded Rental Agency, Inc. Same	Tenant and landlord
Gray, William J. 922 Alfred I. du Pont Bldg. Miami, 33131	American Express Company 65 Broadway New York, N.Y. 10006	All bills re money orders, travelers checks and related matters
Hall, J. Lewis P.O. Box 1228 Tallahassee	Anchor Finance Co. #2 Orlando	Small loan business
Hampton, William Franklin Rm. 1401 Dade County Courthouse Miami, 33130	Dade County Government 73 West Flagler St. Miami, 33130	Local government
Heilbraun, Sid 1020 N. 13 Terrace Hollywood, 33020	Self Same	General bills
Huntz, Richard J. 22 N.E. 2nd Terrace Hallandale, 33009	Self Same	General bills
Huntz, Tom John 22 NE 2nd Terrace Hallandale, 33009	Self Same	General bills
Ingle, John P., III Dept. of Legal Affairs 222 W. Pensacola Tallahassee, 32304	Division of State Planning Dept. of Administration 725 S. Bronough St. Tallahassee, 32304	Any bills affecting principal, especially CH. 380 and Part I, Ch. 23, Fla. Statutes
Jacobs, Joseph C. P.O. Box 1170 Tallahassee, 32302	Anchor Finance Co. Orlando	HB 1775
Jacques, Roberta Jean 1105 N. 13th Court Hollywood, 33020	Self Same	General bills

**LOBBYIST REGISTRATIONS UNDER SENATE RULE NINE
MAY 7, 1973 THROUGH MAY 11, 1973 (Continued)**

<i>Name & Address</i>	<i>Entity Represented and Address</i>	<i>Legislation Involved; Association with Legislator</i>
Jeffrey, Jaclyn Robyn 270 Layne Blvd. Hallandale, 33009	Self Same	General bills
Juge, Frank Emile, Jr. 107 W. Gaines Tallahassee, 32304	State University System of Florida Same	Education
Kammer, Mary Maxine 1110 Adams Street Hollywood, 33020	Self Same	General bills
Kendrick, Sister Ann 1703 S. Central Ave. Apopka, 32703	United Farm Workers' Union 10 W. Main St. Apopka, 32703	Agricultural labor
Kincaid, James G. 2000 E. Oakland Park Ft. Lauderdale	City of Deerfield Beach P.O. Drawer AH Deerfield Beach	City and County legislation
Kroner, Jonathan Evan 1985 S. Ocean Drive Hallandale, 33009	Self Same	General bills
Lee, Robert D. 2030 S. Ocean Dr. Apt. #1427 Hallandale, 33009	Self Same	General bills
Leghart, Thomas Wayne 1907 N. Fed. Highway Hollywood, 33020	Self Same	General bills
Lewis, Gerald Alvin 1351 NW 12 St. Miami, 33125	State Attorney's Office Same	Consumer protection: Limited partnership int.— Senator Pettigrew
Lexner, Betsy Earlene 1304 Adams St. Hollywood, 33020	Self Same	General bills
Lisbon, James 10 W. Main St. Apopka, 32703	United Farm Workers, AFL-CIO Same	Agricultural labor
Loundy, Jeffrey John 945 Harrison St. Hollywood, 33020	Self Same	General bills
Materiale, Gina 330 S. 24th Ave. Hollywood, 33020	Self Same	General bills
Mavrides, Andrew Paul 5351 S. W. 40th Ave. Ft. Lauderdale, 33314	Self Same	All general bills

**LOBBYIST REGISTRATIONS UNDER SENATE RULE NINE
MAY 7, 1973 THROUGH MAY 11, 1973 (Continued)**

<i>Name & Address</i>	<i>Entity Represented and Address</i>	<i>Legislation Involved; Association with Legislator</i>
McCaughan, Russell 301 East Las Olas Blvd. Ft. Lauderdale, 33301	Fla. Condominium Comm. Same	Atty. for the Commission
Mendillo, Yolanda Maria 2920 Plunkett St. Hollywood, 33020	Self Same	General bills
Messer, James Elliott 131 N. Gadsden Tallahassee, 32302	Governor's Citizens Commission on Education Capitol Tallahassee	Commission study & recommendations for education
Messer, James Elliott 131 N. Gadsden Tallahassee, 32302	Florida Condominium Comm. First Nat'l Bank Bldg. Miami	Reform of Florida Statutes re condominiums
Miller, Martin John 685 3rd Avenue New York, N.Y. 10017	American Home Products Corp. Same	Drug & food related legislation
Parker, Paul C. 107 W. Gaines St. Tallahassee, 32304	State University System Same	University educational matters
Parsons, Willard Ernest 337 E. Forsyth St. Jacksonville, 32202	National Association of Credit Management, Inc. 221 E. Adams St. Jacksonville	Credit
Phillips, Suzanne 631 E. Call St., #218 Tallahassee, 32301	Conservation 70s P.O. Box 541 Jupiter, 33458	Environmental legislation
Pietrzyk, Jan Roger 1681 Mayhew Tallahassee	Veterans Information Center Rm. 327, University Union FSU Tallahassee	Veterans' affairs
Polnau, Nancy Ruth 619 Layne Blvd. Hallandale, 33009	Self Same	General bills
Quinn, Thomas P. 2463 E. Commercial Blvd. Ft. Lauderdale, 33308	Broward County Tax Collector Broward County Courthouse	Legislation
Robinson, Mark Edward 900 NE 4th St. Hallandale, 33009	Self Same	General bills
Rozental, Ruben Victor 1615 Cleveland St. Hollywood, 33020	Self Same	General bills
Salary, Loyd 10 W. Main St. Apopka, 32703	United Farm Workers, AFL-CIO Same	Agricultural labor

**LOBBYIST REGISTRATIONS UNDER SENATE RULE NINE
MAY 7, 1973 THROUGH MAY 11, 1973 (Continued)**

<i>Name & Address</i>	<i>Entity Represented and Address</i>	<i>Legislation Involved; Association with Legislator</i>
Shaffer, Benjamin Scott 1000 N. Northlake Hollywood, 33020	Self Same	General bills
Silbert, Edward M. 107 W. Gaines Tallahassee, 32304	State University System of Florida Same	Higher education
Simmons, Jack W., Jr. 326 S. Adams St. Tallahassee, 32302	Cataphote Corporation 1001 Underwood Dr. Jackson, Miss. 39205	General
Sorensen, Henry Tyler City Hall Tallahassee, 32301	Florida State Pistol Association P.O. Box 26 Silver Springs, 32688	Firearms legislation
Spear, Debra J. 2030 S. Ocean Drive Apt. 1609 Hallandale, 33009	Self Same	General bills
Stabile, William Louis 1346 Polk St. Hollywood, 33020	Self Same	General bills
Stanton, Constance Jean 1925 McKinley St. Hollywood, 33020	Self Same	General bills
Thomas, Larry Eugene 631 N.W. 9th Ct. Hallandale, 33009	Self Same	General bills
Townsend, Vera G. General Delivery Wildwood, 32785	United Farm Union Same	Agricultural labor
Washington, Anita 533 N.W. 6th St. Hallandale, 33009	Self Same	General bills
Watson, Lesa Ford 1518 Coolidge St. Hollywood, 33020	Self Same	General bills
Whatley, Brown L. 718 1st Nat'l Bank Bldg. Miami, 33133	Florida Condominium Commission Same	Condominium legislation
Winick, Stacey A. 1515 Diplomat Parkway Hollywood, 33020	Self Same	General bills